



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ming-Hui WEI et al.

Art Unit: 1632

Serial No. 09/813,319

Examiner: V. Bertoglio

Filed: March 21, 2001

Atty. Docket: CL001066CIP

For: ISOLATED HUMAN PHOSPHATASE
PROTEINS, NUCLEIC ACID MOLECULES
ENCODING HUMAN PHOSPHATASE
PROTEINS, AND USES THEREOF

PRELIMINARY AMENDMENT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

This is in response to a restriction requirement issued by Examiner Bertoglio on October 3, 2003. Filed herewith is a request for a two-month extension of time.

By way of response, Applicants hereby elect claim group IV, claims 4, 5, 8, 9, 22 and 23 directed to nucleic acid molecules, vectors, host cells, etc., for examination and have canceled claims corresponding to the non-elected groups I-III and V-IX.

Applicants noticed that the Examiner omitted to include claims 1-5 and 20-23 in the restriction requirement, and Applicants assumed that the Examiner intended to include 4, 5 and 20-23 in the group IV. A phone call has been made on October 8, 2003, and a message was left on Examiner's voice mail in this regard. However, no supplemental restriction was received.